

1 Christopher B. Dolan (SBN 165358)
2 **THE DOLAN LAW FIRM**
3 1438 Market Street
4 San Francisco, California 94102
5 Telephone: (415) 421-2800
6 Facsimile: (415) 421-2830

7
8
9 Attorneys for Plaintiff
10 Kevin Halpern and
11 Celluride Wireless, Inc.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN HALPERN; CELLURIDE
WIRELESS INC.,

Plaintiffs,

v.

UBER TECHNOLOGIES INC., TRAVIS
KALANICK, GARRETT CAMP, BILL
TRENCHARD, SCOTT BELSKY, BILL
GURLEY, BENCHMARK CAPITAL,
BENCHMARK, FOUNDER COLLECTIVE,
FIRST ROUND CAPITAL, RAISER L.L.C.,
RAISER CA L.L.C. and DOES 1-250,

Defendants.

CASE NO.: 4:15-CV-02401-JSW

Judge: Hon. Jeffrey S. White
Courtroom: 5

JOINT STIPULATION AND
DEMONSTRATION OF GOOD CAUSE
TO CONTINUE THE HEARING AND
BRIEFING SCHEDULE ON THE
MOTION TO DISMISS FILED BY
DEFENDANTS AND THE CASE
MANAGEMENT CONFERENCE; AND
REQUEST FOR ORDER

[PROPOSED] ORDER GRANTING
STIPULATED REQUEST TO
CONTINUE HEARING AND BRIEFING
SCHEDULE ON MOTION TO DISMISS
AND CONTINUING CASE
MANAGEMENT CONFERENCE
AS MODIFIED HEREIN

Hearing

Date: August 28, 2015
Time: 9:00 a.m.
Courtroom: 5

Stipulation and [Proposed] Order To Continue Hearing Dates on Motions to Dismiss
and to Continue the Case Management Conference Date.

1
2
3 The parties submit the following stipulation and demonstration of good cause to continue
4 the hearing and briefing schedule on the defendants' motion to dismiss pursuant to the
5 requirements in the Court's General Civil Standing Order, number 4.

6 **WHEREAS** Defendants filed two motions to dismiss on July 13, 2015 that seek to have
7 all defendants dismissed from the case.

8
9 **WHEREAS** Defendants' motions to dismiss are currently set for hearing on August 28,
10 2015, and Plaintiff's oppositions are due on July 27, 2015, pursuant to Local Rule 7-3(a).

11 **WHEREAS** on July 16, 2015, Plaintiff's Counsel emailed Defendants' Counsel and
12 informed him that he is out of the United States on vacation and will be gone over the next three
13 weeks on vacation and then dealing with some family business. Plaintiff's Counsel requested a
14 three week extension of the hearing and of Plaintiff's time to respond to the motion.

15
16 **WHEREAS** the initial case management conference in this case is also set for August 28,
17 2015. The case management conference is set for 11:00 a.m. in Courtroom 5.

18
19 **THE PARTIES HEREBY SUBMIT THAT GOOD CAUSE EXISTS AND**
20 **THEREUPON STIPULATE** to have the hearings on Defendants' motions to dismiss continued
21 from August 28 to September 11, 2015, or as soon thereafter as the Court is available. The
22 parties also stipulate to continue the deadline for Plaintiff to file his oppositions to the motions to
23 August 17, 2015 and the deadline for the Defendants' replies to August 28, 2015.

24
25 **THE PARTIES SUGGEST AND STIPULATE** that it would preserve judicial resources
26 to continue the case management conference date to coincide with the new date for the motions

1 to dismiss and to continue the deadline to submit the joint case management conference
2 statement to one week before the new case management conference date.

3 Dated: July 22, 2015

4 THE DOLAN LAW FIRM

5 By: /s/ Christopher B. Dolan
6 Christopher B. Dolan
7 Attorneys for Plaintiffs Kevin Halpern and
8 Celluride Wireless Inc.

9 Dated: July 22, 2015

10 DURIE TANGRI, LLP

11 By: /s/ Ragesh K. Tangri
12 Ragesh K. Tangri
13 Attorneys for Defendants Uber Technologies, Inc.,
14 Travis Kalanick, Garret Camp, Bill Trenchard, etc.

[PROPOSED]

**ORDER GRANTING STIPULATED REQUEST TO
CONTINUE HEARING AND BRIEFING SCHEDULE**

Pursuant to the stipulation of the parties, the Court finds good cause to continue the hearing and briefing schedule on the defendants' motion to dismiss that is currently set for hearing on August 28, 2015. The Court hereby issues the following schedule for the motion.

- 1) The motion to dismiss will be heard on September 18, 2015 at 9:00 a.m., in Courtroom 5.
 - 2) Plaintiff's opposition to the motion is due August 17, 2015.
 - 3) Defendants' reply to Plaintiff's opposition is due August 28, 2015.
 - 4) The case management conference, currently set for August 28, 2015, will be VACATED and rescheduled after the Court has resolved all of the pending motions.
continued to September _____, 2015 at _____ a.m. in Courtroom 5.
 - 5) The joint case management conference statement will be due on September _____, 2015, one week before the case management conference hearing.

IT IS SO ORDERED.

Dated: July 23, 2015

By:

Hon. Jeffrey S. White